

CHAPTER Pari 1000 BINGO GAMES

Statutory Authority: RSA 287-E:3

Adopt Pari 1001 to read as follows:

PART Pari 1001 PURPOSE AND SCOPE

Pari 1001.01 Purpose. The purpose of this chapter is to establish requirements for bingo games pursuant to RSA 287-E:1 through RSA 287-E:15.

Pari 1001.02 Scope.

(a) Except as provided in (b) below, this chapter shall apply to:

(1) Bingo games held by:

- a. Charitable organizations;***
- b. Agricultural fairs; and***
- c. Private campgrounds and hotels;***

(2) Distributors and manufacturers of bingo supplies and equipment and lucky 7 machines; and

(3) Commercial halls where bingo games are held.

(b) Pursuant to RSA 287-E:11, this chapter shall not apply to bingo games held by a senior citizens' organization.

Readopt with amendment Sw 2001.01(a) through Sw 2001.01(h), effective 10-10-03 (Document #8000), as Pari 1002.01 through Pari 1002.04 to read as follows:

PART Pari 1002 BINGO DEFINITIONS

~~Sw 2001.01 Definitions. The following definitions shall apply for bingo and lucky 7:~~

~~(a) "Administrative or management activities" means the business activities that include but are not limited to billing customers, keeping financial books and records, and receiving orders.~~

~~(b)~~***Pari 1002.01 "Auxiliary" means a group of people functioning in a subsidiary capacity to assist the primary charitable organization.***

~~(e)~~***Pari 1002.02*** “Bingo brain” means an electronic device into which ~~a player has entered~~ all card or strip numbers ***are entered*** and which automatically tracks announced numbers and scans the ~~bingo~~ cards or strips to see if the player has the number, allowing the simultaneous play of a large number of cards or strips.

~~(d)~~***Pari 1002.03*** “Card” means a game piece containing the word “bingo” and 24, randomly numbered 1 ***through*** 75, spaces and one free space. ~~This term includes items also known as face.~~

Pari 1002.04 “Carryover coverall game” means a type of winner-take-all cover-all game pursuant to RSA 287-E:7, XVI in which any prize money, not won, is rolled from one game day to another.

~~(e) “Deal” means a quantity of lucky 7 tickets sold either boxed, bagged or cellophane wrapped.~~

~~(f) “Direct customer retail sales” means the conveyance and distribution, for consideration paid, of charitable gaming supplies to licensed New Hampshire charitable organizations by the distributor without intermediary, from an inventory housed within the principal place of business.~~

~~(g) “Game booklet” means a series of paper strips compiled in booklet form containing strips to be used for the regular, special and winner take all bingo games.~~

~~(h) “Hard card” means a reusable card containing the word “bingo” and 24, randomly numbered 1-75, spaces and one free space.~~

Readopt with amendment Sw 2003.01(a), effective 10-10-04 (Document #800), as Pari 1002.05 to read as follows:

Sw 2003.01 Definition:

~~(a)~~***Pari 1002.05*** “Commercial ~~H~~hall” means any hall owned ***or*** ~~leased~~ by an individual, corporation, realty trust, partnership, association or any other party, who rents or leases to a charitable organization, for the operation of bingo games. ~~This definition does not include~~ ***excluding*** halls owned by any charitable organization or governmental subdivision ***as specified in RSA 287-E:5, VI.***

Readopt with amendment Sw 8001.01(f) and Sw 8001.01(g), effective 9-9-04 (Document #8163), as Pari 1002.06 and Pari 1002.07 to read as follows:

~~(f)~~***Pari 1002.06*** “Game date” means a series of games played on a specified date.

~~(g)~~***Pari 1002.07*** “Game day” means regularly scheduled games played on the same day of each successive week.

Adopt Pari 1002.08 to read as follows:

Pari 1002.08 “Game schedule” means a written description indicating the type(s) of game(s) to be played, the name of that game(s), all prizes to be offered and such other information as specified in Pari 1011.01.

Readopt with amendment Sw 2001.01(i) through Sw 2001.01(o), effective 10-10-03 (Document #8000), as Pari 1002.09 through Pari 1002.15 to read as follows:

~~(i) Pari 1002.09 “House rules” means instructions describing how bingo games are conducted, played and won adopted by a charitable organization pursuant to Pari 1008 a list of rules an organization adopts which are not covered under existing commission rules or statute.~~

Pari 1002.10 “Initial application” means:

(a) The first time that a charitable organization submits a bingo license application to the commission;

(b) A bingo license application from a charitable organization whose previous license has been expired for more than 30 days; or

(c) A bingo license application from a charitable organization one year or more after the organization’s bingo license was revoked pursuant to Pari 1019.02.

~~(j) Pari 1002.11 “Lighted game board” means a large lighted board displaying the numbers 1 ***through*** 75 which light up as the numbered balls are announced and placed in a rack.~~

~~(k) Pari 1002.12 “Mixing machine” means a machine containing 75 numbered balls and a blower attachment blowing air on the balls ***to*** mixing them up and randomly forcing one ball at a time up a chute to be drawn.~~

~~(m) “Principal place of business” means a building:~~

~~(1) That complies with applicable local zoning requirements as to its use;~~

~~(2) At which the majority of the business's New Hampshire bingo and lucky 7 administrative and management activities occur; and~~

~~(3) At which the majority of the business's New Hampshire direct sales of bingo and lucky 7 charitable gaming supplies are conducted.~~

Pari 1002.13 “Renewal application” means an application by a charitable organization which is not an initial application.

~~(d)~~ ***Pari 1002.14*** “~~Paper s~~Strip” means a paper sheet containing 3 or more bingo squares and ~~which~~ is of a predetermined distinguishing color ~~which is used for regular, special and winner take all~~ ***to distinguish*** bingo games.

~~(n)~~ ***Pari 1002.15*** “Winner-take-all game” means a game, ***pursuant to RSA 287-E:7, XIII***, in which all money received for the game is awarded, less the ***7 percent (%) tax and 7% game reimbursement fee specified in RSA 287-E:7, XIII***, to the winner of the game.

~~(o)~~ “Special game” means a commission approved design that uses pre-determined squares on a bingo card.

Adopt Pari 1002.16 to read as follows:

Pari 1002.16 “Wholesale cost” means the value paid by the charitable organization for a prize.

Adopt Pari 1003 to read as follows:

PART Pari 1003 APPLICATION PROCEDURES FOR A BINGO LICENSE FOR A CHARITABLE ORGANIZATION

Pari 1003.01 Application Procedures for a Bingo License for a Charitable Organization.

(a) Prior to holding a bingo game, a charitable organization shall:

(1) Apply to the commission for a bingo license; and

(2) Be issued a bingo license by the commission.

(b) Each applicant for a bingo license shall submit the following to the commission:

(1) A fully executed application form provided by the commission that contains the information specified in either Pari 1004.01 or Pari 1006.01, as applicable;

(2) The supporting documentation specified in either Pari 1004.02 or Pari 1006.02, as applicable;

(3) A completed bingo/lucky 7 data verification form as specified in Pari 1005.01, if required; and

(4) A fee for each bingo game date as specified in RSA 287-E:4, I.

(c) If the commission, for the purpose of determining the applicant’s qualifications for licensure, requires any information or documents additional to the materials submitted by the applicant under (b) above, the commission shall:

(1) Notify the applicant in writing within 5 days of the date the application is on file with the commission; and

(2) Specify the information or documents which the applicant is required to submit.

(d) If required pursuant to (c) above, the applicant shall submit any additional information or documents requested by the commission within 5 days of receipt of the request.

(e) An application shall be considered to be on file with the commission on the first date that the commission has received all of the items specified in (b)(1) through (b)(4) above.

(f) The commission shall approve or deny the application in writing within 15 days of the date that:

(1) The application is on file with the commission; or

(2) If additional information or documents are required pursuant to (c), the additional information or documents are received by the commission from the applicant.

(g) The commission shall approve the application and issue a license if the applicant has:

(1) Complied with the application procedure as specified in this part;

(2) Complied with the requirements in Pari 1004 or Pari 1006, as applicable;

(3) Complied with the requirements in Pari 1005; and

(4) Met the qualifications for licensure as specified in RSA 287-E:5 and RSA 287-E:6 .

(h) The commission shall deny the application if the applicant has:

(1) Not complied with the application procedure as specified in this part;

(2) Not complied with the requirements in Pari 1004 or Pari 1006, as applicable;

(3) Not complied with the requirements in Pari 1005; or

(4) Not met the qualifications for licensure specified in RSA 287-E:5 and RSA 287-E:6.

(i) If the commission denies an application:

(1) The commission's written notification pursuant to (f) above shall specify the reason(s) for denial; and

(2) Pursuant to RSA 287-E:4, II, the application fee specified in (b)(4) shall be refunded to the applicant.

(j) The applicant may request a hearing to appeal the denial as specified in RSA 287-E:15.

(k) If an applicant requests a hearing pursuant to (j) above and the denial is overturned, the applicant shall resubmit the application fee specified in (b)(4) to the commission before the commission will issue a license.

Pari 1003.02 Expiration of a Bingo License for a Charitable Organization.

(a) A bingo license for a charitable organization issued pursuant to this chapter shall expire:

(1) On the last game date authorized in the license as specified in RSA 287-E:6, I(a) but not later than the last day of the month for which the license was issued; or

(2) Upon revocation of the license by the commission as specified in RSA 287-E:14 and Pari 1019.02.

(b) A charitable organization shall not hold any bingo games if their license has:

(1) Expired as specified in (a) above;

(2) Has been suspended pursuant to Pari 1019.01; or

(3) Has been denied pursuant to Pari 1003.01(h).

Readopt with amendment Sw 2001.02, effective 10-10-03 (Document #8000), as Pari 1004.01 to read as follows:

PART Pari 1004 INITIAL APPLICATION FOR A BINGO LICENSE FOR A CHARITABLE ORGANIZATION

Sw 2001.02Pari 1004.01 Initial Application for a Bingo Game License for a Charitable Organization.

*(a) A charitable organization shall submit to the commission, as specified in RSA 287-E:5, IV, a completed ***initial*** application for a bingo game license shall be received at the*

~~sweepstakes commission at least 15 days prior to the first game date of the month for which the license has been requested.~~***which:***

- (1) Relates only to activities which will take place in a single monthly period beginning on the first day of an upcoming month and ending on the last day of the same upcoming month;***
- (2) Is signed under oath by a member of the charitable organization requesting the license who is a duly authorized officer, director or official of the charitable organization; and***
- (3) Is received by the commission at least 15 days prior to the first game date of the month for which the license has been requested.***

(b) ~~An a~~***Applicants for an initial bingo license for a charitable organization*** shall supply ***submit*** the following on or with the ***“Initial Application for Bbingo Ggame Llicense”*** application ***form provided by the commission:***

(1) The charitable o~~Organization's:~~

- a. Nname; and***
- b. Street address, city or town, state and zip code;***
- c. Mailing address, city or town, state and zip code;***
- d. Business telephone number;***
- e. Business fax number; and***
- f. Business e-mail address;***

~~(2) Bingo game dates and times; and~~

~~(3) Signature of bingo chairperson or treasurer;~~

~~(4) A fee of \$25 for each bingo game date for which the application is made;~~

~~(5) The original signed bingo financial report of the prior month, if applicable; and~~

~~(6) Payment of the 7% winner take all taxes for the prior month, if applicable.~~

(2) For the duly authorized officer, director or official that is submitting the application on behalf of the charitable organization, that person's:

- a. Name;*
- b. Date of birth;*
- c. Home address, city or town, state and zip code; and*
- d. Home and business telephone numbers;*

(3) Whether the type of charitable organization is:

- a. Religious;*
- b. Charitable;*
- c. Civic;*
- d. Veterans;*
- e. Fraternal; or*
- f. Social club;*

(4) Whether or not the city or town in which the charitable organization seeks to hold its bingo game(s) has adopted the local option provisions of RSA 287-E:27 and, if so, whether or not documentation of the city or town's adoption of this provision has been supplied with the application;

(5) Whether or not, pursuant to RSA 287-E:1, V, the charitable organization has been registered with the secretary of state for at least 2 years and has been in existence and organized under the laws of the state of New Hampshire, in a town or city in this state, for at least 2 years, and, if so, whether or not documentation of these facts have been supplied with the application;

(6) Whether or not, if required by RSA 7:19 through RSA 7:32-a, the charitable organization is registered with the NH department of justice, director of charitable trusts division and, if so, whether or not documentation of this registration has been supplied with the application;

(7) Whether or not the charitable organization has been formed for purposes other than conducting bingo games and, if so, whether or not documentation of this fact has been supplied with the application;

(8) Whether or not contributions to the charitable organization are exempt from federal income taxation;

(9) Under which of the following sections, the charitable organization possesses its tax-exempt status:

- a. 26 U.S.C. 501(c)(3) of the federal Internal Revenue Code (IRC);***
- b. 26 U.S.C. 501(c)(4) of the IRC;***
- c. 26 U.S.C. 501(c)(7) of the IRC;***
- d. 26 U.S.C. 501(c)(8) of the IRC;***
- e. 26 U.S.C. 501(c)(10) of the IRC;***
- f. 26 U.S.C. 501(c)(19) of the IRC; or***
- g. By virtue of a group exemption ruling by the U.S. Internal Revenue Service (IRS) relating to one of the foregoing sections;***

(10) Whether or not documentation of the charitable organization's tax-exempt status has been supplied with the application;

(11) The charitable organization's employer tax identification number;

(10) The month and year in which the charitable organization proposes to conduct bingo games;

(13) For each proposed bingo game during the single month applied for:

- a. The day of the week;***
- b. The time of day; and***
- c. The date;***

(14) The location at which the charitable organization proposes to conduct bingo games, including street address, city or town and zip code and the name, if any, of the facility at which the games will be conducted; and

(15) A numerical calculation of the amount of the fee due by multiplying the number of days of bingo proposed by the per day fee specified in RSA 287-E:4, I.

~~(c) Incomplete applications shall result in the license not being issued until the application is complete. The applicant shall be notified either in writing or by telephone within 5 working days what further information is needed to process the license application.~~

(c) The duly authorized officer, director or official who is submitting the application on behalf of the charitable organization shall:

- (1) Provide their name, in print, and title or position held within the charitable organization;***
- (2) Sign and date the form; and***
- (3) Certify to the following preprinted statement:***

“I certify, under the penalties of perjury pursuant to RSA 641:3, that the information provided on this application and in any supporting materials is accurate, only bona fide members of the charitable organization will operate bingo games, neither the applicant nor any member of the charitable organization operating the bingo games has been convicted of a felony within the previous 10 years which has not been annulled by a court, a misdemeanor involving falsehood or dishonesty within the previous 5 years which has not been annulled by a court or has violated the statutes or rules governing charitable gambling and that the applicant and any member of the organization participating in the operation of bingo games are aware of all statutes and rules applicable to the operation of bingo games.”

~~(d) The licensee shall provide the following with the initial license application:~~

- ~~(1) A copy of the U.S. Treasury Department document granting tax exempt status to the organization; and~~
- ~~(2) Documentation indicating the charitable purpose for which the charitable organization was organized, and the extent these charitable purposes have been furthered by the charitable organization within the community by goods, services or both in the community.~~

~~(e) Additional documentation shall be furnished to the sweepstakes commission by the bingo chairperson or organization treasurer within 5 business days from the date it is requested when it is necessary to clarify information relative to the application. Failure to supply such information shall result in license not being issued as provided for under RSA 287-E.~~

(d) If at any time an initial bingo application is pending, or at any time an initial license is in effect, any of the information provided by the charitable organization on a bingo/lucky 7 data verification form changes, or if the information becomes or is discovered to be inaccurate, the applicant shall, within 15 days of the occurrence of the event resulting in the change, file with the commission a new, corrected data verification form.

(e) If at any time an initial bingo application is pending, or at any time an initial bingo license is in effect, any of the information provided on or with an initial bingo application under this section changes, or becomes or is discovered to be inaccurate, the applicant shall,

within 15 days of the event resulting in the change, submit to the commission an updated, corrected application form or provide supporting documentation containing the correct information.

(f) Licensed charitable organizations shall maintain their ***IRS*** ~~internal revenue service~~ tax-exempt status, ***and all other qualifications for licensure***, during the period of licensure and shall notify the ~~sweepstakes~~ commission immediately should their exempt status change or be revoked ***or should any other qualification for licensure cease to exist.***

(g) ***The commission shall suspend or revoke a license, as specified in Pari 1019, if the charitable organization fails to maintain a tax-exempt status or any other qualification of licensure, shall result in denial of license renewal.***

Adopt Pari 1004.02 to read as follows:

Pari 1004.02 Supporting Documentation for Initial Application for a Bingo License for a Charitable Organization.

(a) An applicant shall provide the following supporting documents with the initial license application for a bingo license for a charitable organization:

(1) Pursuant to RSA 287-E:5, I, documentation that the member of the charitable organization submitting the application on behalf of the organization is an officer, director or official presently duly authorized to submit applications, renewal applications and supporting documents on behalf of the organization, in the format described in (b) below;

(2) A copy of either:

a. The IRS letter of determination:

1. Stating that the charitable organization is exempt from federal income tax;

2. Granting tax exempt status to the charitable organization under 26 USC §§501(c)(3), 501(c)(4), 501(c)(7), 501(c)(8), 501(c)(10) or 501(c)(19); and

3. Including the charitable organization's federal tax identification number; or

b. If the charitable organization's exempt status is by virtue of a group exemption:

1. A copy of the IRS letter of determination to the entity with which the charitable organization is connected indicating that that entity

possesses a group exemption under the authority of one of the code provisions noted in a. above; and

2. A letter from the entity with which the charitable organization is connected stating that the charitable organization is covered by the group tax exemption and its tax exemption number;

(3) Documentation that the city or town in which the charitable organization seeks to hold its bingo game(s) has adopted, and currently has in effect, the local option provision of RSA 287-E:27, in the form of a copy of the currently-effective ordinance or vote of the municipality adopting these provisions;

(4) A certificate from the New Hampshire secretary of state, or a copy thereof, stating:

a. That the charitable organization is registered with the secretary of state as a nonprofit corporation; and

b. The charitable organization's date of registration;

(5) A certificate from the New Hampshire secretary of state, or a copy thereof, stating that the charitable organization is currently in good standing;

(6) If the charitable organization is required to register with the director of charitable trusts under RSA 7:19 through RSA 7:32-a, a certificate from the New Hampshire department of justice, charitable trusts division, or a copy thereof, stating that the organization is so registered and is in good standing;

(7) Documentation indicating the charitable purposes for which the charitable organization was organized, and the extent these charitable purposes have been furthered by the charitable organization within the community by goods, services or both in the community, in the format described in (c) below;

(8) A copy of the charitable organization's current articles of incorporation;

(9) A copy of the bylaws of the charitable organization;

(10) A copy of the charitable organization's current membership list;

(11) A current list of:

a. The officers and directors of the charitable organization; and

b. Any officials of the charitable organization who are authorized to submit applications and supporting materials;

(10) A copy of the current lease agreement as specified in Pari 1015.07 between the charitable organization and the bingo hall in which games will be held, if any;

(13) A letter of intent in the format described in (d) below;

(14) A fully executed bingo/lucky 7 data verification form containing the information specified in Pari 1005.01;

(15) A game schedule as specified in Pari 1011; and

(16) A copy of the charitable organization's house rules as specified in Pari 1008.

(b) The documentation required under (a)(1) above shall consist of a letter from the secretary of the charitable organization, on the letterhead of the charitable organization:

(1) Stating that that the person submitting the application is a member of the organization;

(2) Stating the person's title within the organization;

(3) Stating that the person is presently authorized by the board of directors of the organization to file bingo application forms and supporting materials on behalf of the organization; and

(4) Enclosing therewith a true and accurate copy of the minutes, or other written recording of the vote of the board of directors of the organization, authorizing the person to file bingo application forms and supporting materials on behalf of the organization.

(c) The documentation required under (a)(8) above shall consist of a letter from the charitable organization to the commission that:

(1) Begins with the phrase "The charitable purposes of," followed by the name of the charitable organization, the word "are" and a description of the charitable purposes of the charitable organization which:

a. Indicates the religious, civic, fraternal, veterans' or other charitable purposes of the organization, other than charitable gambling, for which the organization is organized; and

b. Describes how the purposes noted in (b)(1)a. above are furthered by activities conducted in the town or city in which the organization is organized;

- (2) Bears the letterhead of the charitable organization;*
- (3) Is signed by an official of the charitable organization who is authorized by the organization to do so; and*
- (4) Bears the date that the letter was signed.*
- (d) The letter of intent noted in (a)(14) above shall:*
 - (1) List the dates of activities, other than charitable gambling or activities conducted solely for the purposes of raising funds for the charitable organization, conducted by the charitable organization within the 2 year period prior to the date of the application which advance the charitable organization's charitable purpose; and*
 - (2) Describe the activity conducted, including in the description the location at which the activity was conducted.*

Adopt Pari 1005 to read as follows:

PART 1005 BINGO/LUCKY 7 DATA VERIFICATION FORM

Pari 1005.01 Bingo/Lucky 7 Data Verification Form.

(a) An applicant for a bingo license shall submit a "Bingo/Lucky 7 Data Verification Form" provided by the commission as an attachment to their initial license application as specified in Pari 1004.02(a)(14).

(b) On the "Bingo/Lucky 7 Data Verification Form", the applicant shall provide the following:

(1) The charitable organization's:

- a. Name;*
- b. Identification number, consisting of the number, if any, assigned to the charitable organization by the commission;*
- c. Business telephone number;*
- d. Business fax number;*
- e. Business e-mail address;*
- f. Street address, city or town, state and zip code; and*

g. Mailing address, city or town, state and zip code;

(2) The name of the president, chief executive officer, chairperson of the board of directors or other person, by whatever named called, serving as the head of the charitable organization;

(3) For the person identified in (b)(2) above, the person's:

a. Title or position held;

b. Home address, city or town, state and zip code;

c. Home and business telephone numbers; and

d. Date of birth;

(4) The name of the person who will be in charge of the bingo operations for the charitable organization;

(5) For the person identified in (b)(4) above, the person's:

a. Title or position held;

b. Home address, city or town, state and zip code;

c. Home and business telephone numbers; and

d. Date of birth;

(6) For the treasurer of the charitable organization, the treasurer's:

a. Name;

b. Home address, city or town, state and zip code;

c. Home and business telephone numbers; and

d. Date of birth;

(7) The street address, city or town, state and zip code where bingo will be conducted by the charitable organization;

(8) The day(s) of the week that bingo will normally be operated;

(9) The time of day that bingo will normally be played; and

(10) For the manager of the location where the proposed bingo game(s) will be played, the manager's:

- a. Name;***
- b. Home address, city or town, state and zip code; and***
- c. Home and business telephone numbers.***

(c) The duly authorized officer, director or official who is submitting the form on behalf of the charitable organization shall:

- a. Provide their name, in print, and title or position held within the charitable organization;***
- b. Sign and date the form; and***
- c. Certify to the following statement:***

"I certify, under the penalties of perjury pursuant to RSA 641:3, that the information provided on this form is true, accurate and complete."

Adopt Pari 1006 to read as follows:

PART Pari 1006 RENEWAL APPLICATION FOR A BINGO LICENSE FOR A CHARITABLE ORGANIZATION

Pari 1006.01 Renewal Application for a Bingo License for a Charitable Organization.

(a) A charitable organization shall submit to the commission, as specified in RSA 287-E:5, IV, a completed renewal application for a bingo license for a charitable organization which:

- (1) Relates only to activities which will take place in a monthly period beginning on the first day of an upcoming month and ending on the last day of an the same month;***
- (2) Is signed by a member of the charitable organization requesting the license who is a duly authorized officer, director or official of the charitable organization; and***
- (3) Is received at the commission at least 15 days prior to the first game date of the month for which the license has been requested.***

(b) An applicant for a renewal bingo license for a charitable organization shall submit the following on a “Bingo/Lucky 7 Renewal Application” form provided by the commission:

(1) A numerical calculation of the amount of the fee due by multiplying the number of days of bingo proposed by the per game fee specified in RSA 287-E:4, I;

(2) The month and year in which the applicant proposes to conduct bingo games;

(3) For each proposed bingo game during the single month applied for:

a. The day of the week;

b. The time of day; and

c. The date; and

(4) The location at which the applicant proposes to conduct bingo games, including street address, city or town, state and zip code.

(c) The duly authorized officer, director or official who is submitting the application on behalf of the charitable organization shall:

(1) Provide their name, in print, and title or position held within the charitable organization;

(2) Sign and date the form; and

(3) Certify to the following preprinted statement:

“I certify, under the penalties of perjury pursuant to RSA 641:3, that the information provided on this application and in any supporting materials is accurate, only bona fide members of the charitable organization will operate bingo games, neither the applicant nor any member of the charitable organization operating the bingo games has been convicted of a felony within the previous 10 years which has not been annulled by a court, a misdemeanor involving falsehood or dishonesty within the previous 5 years which has not been annulled by a court or has violated the statutes or rules governing charitable gambling and that the applicant and any member of the organization participating in the operation of bingo games are aware of all statutes and rules applicable to the operation of bingo games.”

(d) If at any time a renewal bingo application is pending, or at any time a bingo license is in effect, any of the information provided by the charitable organization on a bingo/lucky 7 data verification form changes, or if the information becomes or is discovered to

be inaccurate, the applicant shall, within 15 days of the occurrence of the event resulting in the change, file with the commission a new, corrected data verification form.

(e) If at any time a renewal bingo application is pending, or at any time a bingo license is in effect, any of the information provided on or with an initial bingo application under this section changes, or becomes or is discovered to be inaccurate, the applicant shall, within 15 days of the event resulting in the change, submit to the commission an updated, corrected application form or provide supporting material containing the correct information.

(f) Licensed charitable organizations shall maintain their IRS tax-exempt status, and all other qualifications for licensure, during any period of renewal licensure and shall notify the commission immediately should their exempt status change or be revoked or should any other qualification for licensure cease to exist.

(g) The commission shall suspend or revoke a bingo license renewal, as specified in Pari 1019, if the charitable organization fails to maintain a tax-exempt status or any other qualification of licensure.

Pari 1006.02 Supporting Documentation for a Renewal Application for a Bingo License for a Charitable Organization. The applicant shall submit to the commission the following supporting documentation with any renewal application(s) for a bingo license for a charitable organization:

(a) If a not previously submitted, a complete membership list for the charitable organization;

(b) If the charitable organization conducted bingo in any month prior to the month for which the application is requested, any original, signed bingo financial report, as specified in Pari 1014.02, for any month which has not previously been submitted and which is due or overdue;

(c) If the charitable organization conducted bingo in any month prior to the month for which the application is requested, any 7% winner-take-all bingo taxes under RSA 287-E:8 for any month which has not previously been submitted and which is due or overdue;

(d) If at the time of the filing of the renewal the bingo/lucky 7 data verification form previously filed is not accurate or complete, a fully executed bingo/lucky 7 data verification form containing the information specified in Pari 1005.01;

(e) If any information appearing on an initial application form or any more recent renewal application form has changed, is no longer accurate or has been found to be inaccurate, either:

(1) A new, signed, application or renewal form containing the corrected information, with all required attachments thereto that are subject to correction; or

(2) *A written correction of that information; and*

(f) If any of the supporting documentation previously submitted pursuant to Pari 1004.02 or in conjunction with any more recent renewal application, including but not limited to the charitable organization's list of members has changed, is no longer accurate, is no longer effective, or has been found to be inaccurate, a corrected version of the supporting material.

Readopt with amendment Sw 2001.03, effective 10-10-03 (Document #8000), as Pari 1007.01 to read as follows:

PART Pari 1007 DISPLAY OF BINGO LICENSES AND HOUSE RULES

~~Sw 2001.03~~ ***Pari 1007.01 Display of Bingo Licenses and House Rules.***

(a) *A bingo licensee* ~~Licenses shall be~~ ***prominently displayed their bingo license*** in the public area where bingo games are conducted.

(b) *A bingo licensee shall post* ~~a~~ ***At least 2 copies of RSA 287-E, theis chapter bingo rules, and any house rules as required by Sw 2001.07 Pari 1008.01 with the license.***

(c) *A bingo licensee shall prominently display at least 2 copies of the house rules on posters, the bottom edge of which shall be posted not less than 54 inches nor higher than 60 inches above the floor with print size not less than 5/8 inches nor more than 2 inches.*

Readopt with amendment Sw 2001.08, effective 10-10-03 (Document #8000), as Pari 1008.01 to read as follows:

PART Pari 1008 BINGO HOUSE RULES

~~Sw 2001.08~~ ***Pari 1008.01 Bingo House Rules.***

(a) *A bingo* ~~Licenses shall be prohibited from using~~ ***not adopt or use*** any house rule that violates RSA 287-E or ~~these rules~~ ***this chapter.***

~~(b) Licensees shall prominently display at least 2 copies of the house rules on posters. The bottom edge of the poster shall be posted not less than 54 inches nor higher than 60 inches above the floor with print size not less than 5/8 inches nor more than 2 inches.~~

~~(eb)~~ *A bingo licensee* ~~All house rules shall be publicly announced~~ ***all house rules*** prior to the start of the first game ***of each bingo game date.***

~~(dc)~~ *A bingo licensee* ~~All house rules shall~~ ***adopt and follow house rules that*** address ***at least*** the following:

- (1) What constitutes a bingo and whether or not the last number called need be involved;
- (2) The responsibility of the bingo player to make it known to the game officials that the player has a bingo;
- (3) Reserved seats;
- (4) Sale of ~~regular and special~~ cards;
- (5) ***Availability, use and sale of s***Special cards for the blind or handicapped;
- (6) Card exchange, if allowed;
- (7) If the charity uses a mixing machine, whether or not the mixing machine ***will*** be shut off before a bingo has been verified or during a progressive bonus game;
- (8) The time of final sales;
- (9) Whether or not regular card purchase is necessary to play the winner-take-all game;
- (10) When a ball is an official ball;
- (11) Smoking/non-smoking policy which shall comply with RSA 155:66 through RSA 155:70; ~~and~~
- (12) Use of a bingo brain or device that allows a player to play several cards at the same time;
- (13) ***The carryover coverall consolation prizes and the manner in which they will be awarded;***
- (14) ***The effective date of the house rules;***
- (15) ***The name of a member of the charitable organization to be contacted by a player with comments, concerns or questions; and***
- (16) ***That the bingo game will be conducted in accordance with RSA 287-E and this chapter.***

Readopt with amendment Sw 2001.04(a) through Sw 2001.04(c), effective 10-10-03 (Document #8000), as Pari 1009.01 to read as follows:

PART Pari 1009 BINGO GAME DESIGN PATTERNS

~~Sw 2001.04~~***Pari 1009.01 Operations Bingo Game Design Patterns.***

(a) ~~As specified in this section, the commission shall approve b~~***Bingo games design patterns shall be approved by the sweepstakes commission*** to assure compliance with existing law prior to the games being played.

(b) ~~Bingo Games design patterns~~ approved for ~~a~~***one*** charitable organization may be used by any other charitable organization without additional authorization.

~~(b)(c)~~***(c) A charitable organization shall submit a written request to the commission for design approval of a bingo game design pattern that has not previously been approved by the commission shall be made in writing to the sweepstakes commission.;***

(1) ~~It shall describe~~***Containing a written description of the game; and***

(2) ~~As well as including~~***a copy sample of the proposed game design pattern.***

(d) ~~The individual~~***charitable organization*** requesting approval ***of the game design pattern*** shall be notified by mail within 15 ~~working~~ days from the date the ~~design request~~ is received by the ~~sweepstakes commission. The notice shall state whether or not the game design has been approved.~~

~~(e)(e)~~***The commission shall approve a g***~~Games design pattern shall be approved if the following are true:~~

(1) The game can be understood by the player;

(2) The odds of winning ***are*** not weighted against the player; ~~and~~

(3) The cumulative prize value does not exceed \$3,500, except for winner-take-all or carryover; ~~coverall games;~~ ***and***

(4) ***The game otherwise meets the requirements of RSA 287-E and this chapter.***

**Readopt with amendment Sw 2001.04(d) through Sw 2001.04(o), effective 10-10-03
(Document #8000), as Pari 1010.01 to read as follows:**

PART Pari 1010 OPERATION OF BINGO GAMES

Pari 1010.01 Operations of the Bingo Game.

~~(d)(a)~~***Pursuant to RSA 287-E:7, VIII, t***~~The price of a single bingo card, whether sold individually or as part of a strip or package, shall not exceed \$1 per card per game date. Individual games which offer a multiple prize payout, based on prizes normally offered on either the regular game series or on a special game, shall also not exceed \$2 \$1 per card per game date.~~

~~(e)(b)~~ ***Unless waived as specified in (c) and (d) below, the charitable*** All organizations shall ~~utilize use:~~ a lighted game board unless waived by the sweepstakes commission. The balls shall be drawn one at a time from a machine that mixes the balls. The operator shall have no discretion over which ball is drawn and shall announce the number drawn simultaneously to all players.

(1) A lighted game board; and

(2) A mixing machine.

(c) A charitable organization shall submit a written waiver request to the commission:

(1) Stating the amount of time that the charitable organization has conducted bingo games; or

(2) Documenting through financial statements that the rental or purchase price of the equipment would exceed a good faith estimate of net revenue.

~~(f)(d)~~ ***The commission shall approve a r***Requests for a waiver of the utilization of a lighted game board or of a mixing machine under (c) above shall be approved if the commission determines that one or more of the following criteria is present:

~~(1)~~ The request shall be made in writing to the sweepstakes commission executive director;

~~(2)(1)~~ The ***charitable*** organization has conducted bingo games for a period of less than 2 years; or-

~~(3)(2)~~ The organization can document through financial statements that the rental or purchase price of the equipment would exceeds ***a*** good faith estimate of net revenue.

~~(g)~~ Unless waived, the charity shall use a machine that mixes the balls. The caller or operator shall display the bingo ball prior to putting it in the light board. This shall be done after each ball is drawn from the machine. Exemptions shall be based on the same criteria as set forth in Sw 2001.04(e)(1)–(3):

(e) The caller or operator drawing bingo balls shall:

(1) Draw one ball at a time;

(2) Have no discretion over which ball is drawn;

(3) Announce the number drawn simultaneously to all players; and

(4) After each ball is drawn, display the ball prior to putting it in the lighted game board unless the requirement of a lighted game board is waived as specified in (c) and (d) above.

~~(h)~~***(f)*** Prior to the first game ***of each bingo game date, the caller or operator shall for*** each bingo game that uses ***a lighted game board and mixing machine*** ~~the ball system shall~~ announce that the ***all of the*** balls are in the rack and are available for inspection by anyone who wishes to inspect the system.

~~(i)~~***(g)*** Pursuant to RSA 287-E:7, IX, the charitable organization shall not charge a ~~No~~ fee ~~shall be charged~~ for admission to bingo games.

(h) The charitable organization shall allow a Anyone may to purchase a minimum of one ~~hard card, strip or package one game booklet~~ depending on what is being sold at a particular bingo game and shall not charge anyone more than the maximum price as ***specified*** ~~set forth in Sw 2001.04(c)~~ ***(a) above.***

(j) The charitable organization may offer prizes including dDoor prizes, tokens or awards ~~may be offered and awarded. There shall be no charge for the door prize ticket and the wholesale cost of the prize shall be included in the daily game prize limit., but the amount, as specified in (j) below, of those prizes, tokens or awards shall be calculated as part of the daily prize limit specified in RSA 287-E:7, XI.~~

(j) The charitable organization shall include the wholesale cost of any door prize, token or award in the daily prize limit.

(k) The charitable organization shall not offer any individual door prize with a total value that exceeds \$500.00.

(l) The charitable organization shall not charge for any door prize ticket.

~~(k) Each licensee shall prepare a game schedule indicating game names and prize amounts and submit a copy to the sweepstakes commission for approval based on compliance with RSA 287 E:7, XI, XIII and XV. The approved game schedule shall be posted for public inspection.~~

~~(h)~~***(m)*** Each person working ***at*** a bingo game shall wear an identification tag that shall bear the worker's name and the name of the ***charitable*** organization of which ~~he or she~~ ***that person*** is a member.

~~(m)~~***(n)*** As soon as ***the charitable organization officially opens*** the doors ~~are officially open~~ to the players or ***begins*** the sale of bingo cards ~~has begun,~~ ***the charitable organization pursuant to RSA 287-E:7, III, shall not allow any*** persons under 18 years of age ~~shall not be allowed~~ on the premises where a bingo game is being conducted.

~~(n)~~***(o)*** All ~~paper~~ strips shall contain a sequential serial number.

~~(p)~~ ***(p)*** Hall managers, operators or owners shall keep all bingo related equipment, ***including but not limited to the mixing machine, ball rack and lighted game board,*** in proper, functional working order. ~~This equipment shall include, but not be limited to, a mixing machine, ball rack and lighted game board.~~

(q) The charitable organization shall announce the total attendance and total amount of money collected in sales relating to any winner-take-all game prior to the start of any winner-take-all game.

(r) Pursuant to RSA 287-E:8-a, the charitable organization shall purchase, lease or rent all bingo paper supplies, electronic bingo player equipment and lucky 7 vending machines from a distributor and manufacturer licensed as specified in Pari 1018.

Readopt with amendment Sw 8001.02, effective 9-9-04 (Document #8163), as Pari 1010.02 to read as follows:

~~Sw 8001.02~~ ***Pari 1010.02*** Operations of a Carryover Coverall Game.

(a) The carryover coverall bingo game prize money shall be rolled over to a successive game day in the event there is no winner on the original or preceding game day.

(b) The ***carryover coverall bingo game*** prize money shall accumulate until there is a winner.

(c) If there is no winner on a given game day, a pre-designated consolation prize amount shall be awarded to the game winner who first achieves coverall.

~~(d) The carryover coverall consolation prizes and the manner in which they shall be awarded shall be publicly announced as part of the house rules prior to the start of the first bingo game.~~

~~(e)~~ ***(ed)*** No bonus prize shall be included in the ***carryover*** coverall ***bingo*** game prize payout.

~~(f)~~ Other bingo game configurations may be played concurrently with the coverall bingo game.

~~(g)~~ The carryover coverall ***bingo*** game shall be a winner-take-all game.

~~(h)~~ The carryover coverall ***bingo*** prize shall:

(1) ~~be organization specific; and A carryover coverall prize shall~~

(2) ~~not be transferable between charitable organizations playing within a given hall.~~

~~(i)~~ ***(ih)*** ***As specified in Pari 1013.02(a)(2), the charitable organization shall maintain a*** separate bank account ***at a financial institution with at least one office in New Hampshire*** ~~shall be maintained~~ into which all carryover coverall funds ***are*** ~~shall be deposited.~~

~~(j)~~ ***(ji)*** Withdrawals from the carryover coverall account shall require the signature of ***both*** the charitable organization's treasurer and ~~the bingo~~ chairperson.

~~(k) Bank account records shall be open and accessible for inspection by the sweepstakes commission and/or the department of safety.~~

(j) Prior to completion of the last game day played by a charitable organization at a given location, the entire accumulated carryover coverall jackpot shall be awarded ***unless the commission waives that requirement for good cause shown.***

Readopt with amendment Sw 2001.10, effective 10-10-04 (Document #8000), as Pari 1011.01 to read as follows:

PART Pari 1011 GAME SCHEDULES

~~Sw 2001.10~~***Pari 1011.01 Package GamesGame Schedules.***

(a) A charitable organization shall not play any bingo game unless the game has been identified on a game schedule approved by the commission pursuant to this section.

(b) Each charitable organization seeking to hold a bingo game(s) shall prepare a written game schedule request containing the information specified in (c) below.

(c) The charitable organization shall not include a fee for a bingo brain rental in the package price.

~~(b)~~***(d) A charitable organization shall submit a written request to the commission for a***
~~All game schedules approval that shall show:~~

(1) Identifies the date upon which the charitable organization submitting the request proposes that the game(s) described will first be played; and

(2) Includes a proposed game schedule that states:

~~(1)~~***a. The name of the licensed sponsor licensee or applicant for licensure that will be sponsoring the game(s);***

~~(2)~~***b. The location place, date and time of the proposed game(s);***

c. The day of the week on which game(s) will be held, or if the request relates to a game that will be played on only one date, the date and day of the week that the game(s) will be played;

~~(3)~~***d. The estimated number of players attending;***

~~(4)~~***e. The prices for each strip, card or package price to be sold and prizes; and***

f. Specific details about the number and price for each strip or card included in each package and the amount for each item in the package;

g. The fee charged for using a bingo brain;

*h. All of the prizes, tokens or awards, including door prizes, offered;
and*

~~(5)~~*i. Whether prizes are subject to increase or decrease based on actual attendance.*

(e) The charitable organization shall submit a game schedule request for package, super bingo, special games or any other name given, any game(s) or type of game(s) shall be submitted to the sweepstakes commission and department of safety at least 30 days before game date the first game date identified in the game schedule request submitted to the commission.

(f) If, after filing a game schedule request with the commission, a charitable organization wishes to alter the schedule in any manner, the charitable organization shall file a revised game schedule request in accordance with (g) below that addresses the game(s) to be added or altered.

(g) A charitable organization shall submit a written request to the commission for a revised game schedule approval that:

(1) Identifies the date upon which the charitable organization submitting the request proposes that the game(s) described will first be played; and

(2) Includes a proposed game schedule that states the information specified in (d)(2)a. through (d)(2)g. above.

(h) The charitable organization shall submit the revised game schedule request for any game(s) or type of game(s) to the commission at least 30 days before the first game date identified in the game schedule request submitted to the commission.

(i) The commission shall approve a game schedule or revised game schedule request if the game(s) contained in the request complies(y) with the standards for games set forth in RSA 287-E and this chapter.

(j) A game schedule or revised game schedule approved under (h) above shall be posted in plain view for public inspection in the place where the game(s) will be played.

Readopt with amendment Sw 2001.05, effective 10-10-04 (Document #8000), as Pari 1012.01 to read as follows:

PART Pari 1012 BINGO TAX AND REIMBURSEMENT FEE

Sw 2001.05Pari 1012.01 Bingo Tax and Reimbursement Fee.

(a) Except for ~~special~~ bingo games licensed under RSA 287-E:10 ***through RSA 287-E:13, a charitable*** organizations shall deduct and ***submit to the commission*** ~~pay~~ a 7% tax, ***pursuant to RSA 287-E:8***, from all winner-take-all games, ***including carryover coverall games, which***. ~~This tax shall be taken only from the total amount collected from all of the participants of such games.~~

(b) All ***charitable*** organizations shall deduct and ***submit to the commission*** ~~pay~~ a 7% tax for all bonus games ***pursuant to RSA 287-E:7, XV*** based on the total amount contributed by the charitable organization.

~~(b)(c)~~ (c) The winner-take-all games and the bonus games shall be any games played pursuant to RSA 287-E:7, XIII and XV, respectively, by whatever names they are called. ~~All the monies received shall be disbursed to the winners, except for the 7% tax. No other monies shall be deducted from these prize pools for any other purpose whatsoever. A separate check shall be issued for each winner take all and bonus prize.~~

(d) ***Pursuant to RSA 287-E:7, XIII (e), a reimbursement fee equal to 7% of the total amount collected from participants in any winner-take-all game shall be paid to the charitable organization operating the game.***

(e) ***The charitable organization shall disburse all the monies received in winner-take-all games, except for the 7% tax and the 7% reimbursement fee as specified in (a) and (d) above.***

(f) ***The charitable organization shall disburse all the monies received in bonus games to the winners, except for the 7% tax as specified in (b) above.***

(g) ***The charitable organization shall not deduct any monies other than the tax and, if applicable, the fee described in (d) above, from winner-take-all and bonus game prize pools for any other purpose whatsoever.***

(h) ***The charitable organization shall issue a separate check for each winner-take-all and bonus prize.***

~~(e)~~(i) Charitable organizations that include winner-take-all ~~paper game~~ strips as part of a package sold for a single price shall not discount the value of the winner-take-all strips when figuring the amount to be assessed for total sales, tax and payout.

(j) The value of ***any*** winner-take-all strips sold in packages sold for use with the bingo brain shall be recorded at the same dollar amount as those sold ~~separately~~ ***for use without a bingo brain.***

(k) ***The charitable organization shall submit the 7% tax as specified in (a) and (b) above to the commission as part of the monthly financial report specified in Pari 1014.02.***

Readopt with amendment Sw 2001.06, effective 10-10-04 (Document #8000), as Pari 1013.01 and Pari 1013.02 to read as follows:

PART Pari 1013 BINGO INSPECTION PROCEDURES AND FINANCIAL REQUIREMENTS

~~Sw 2001.06~~***Pari 1013.01 Reports and Bingo Inspection Procedures.***

(a) A charitable organization shall:

(1) Maintain all b~~Books of account, records and all supporting documentation of sufficient detail to enable preparation of the monthly financial reports as specified in Pari 1014 as submitted to~~ ***shall be open and accessible to representatives of the sweepstakes commission and the department of safety, or both; and***

(2) Have all accounts, records and supporting documentation available for inspection by the commission.

(b) A charitable organization shall have p~~Proof of all revenues and expenses expenditures related to the operation of bingo games available for~~ ***shall be reviewed by the sweepstakes commission and the department of safety, or both. Expenses shall be directly related to the operation of bingo games.***

(c) The charitable organization shall:

(1) Keep checking account records for the accounts specified in Pari 1013.02(a) below on the premises where the game is held; and

(2) Have all of the records specified in (c)(1) above open and accessible for inspection by the commission.

(d) The charitable organization shall allow an employee or authorized representative of the commission to enter and inspect any facility where bingo games are held for purposes of determining compliance with RSA 287-E and this chapter.

~~(c) A cash control sheet, form B-39, for all bingo games shall be completed by the treasurer or bingo chairperson of each organization each game date, and shall be submitted monthly to the sweepstakes commission. All form B-39 cash control sheets shall be retained and available for inspection by the sweepstakes commission, the department of safety, or both for a period of 2 years.~~

~~(d) The organization shall submit a Form B-39 containing the following information:~~

~~(1) The name of the organization;~~

- ~~(2) The game date and total attendance;~~
- ~~(3) The sales for regular and package games;~~
- ~~(4) Information for special games, which shall include:~~
 - ~~a. The game name;~~
 - ~~b. Color;~~
 - ~~c. The name of the seller if different than regular games;~~
 - ~~d. The name of the person who issues paper to seller, if different than regular games;~~
 - ~~e. The number issued and returned;~~
 - ~~f. The number of free strips;~~
 - ~~g. The number destroyed; and~~
 - ~~h. Total sold;~~
- ~~(5) The winner take all and carry over, cover all tax computations;~~
- ~~(6) Cash due and cash received reconciliations;~~
- ~~(7) All other monies received from bingo game;~~
- ~~(8) All bingo and lucky 7 related expenses paid by cash or check;~~
- ~~(9) The total tax, cash, expenses and deposits; and~~
- ~~(10) The signature and date of the person preparing the form B-39.~~

Pari 1013.02 Bingo Financial Requirements.

(a) The charitable organization shall have the following separate checking accounts at a financial institution with at least one office in New Hampshire:

- (1) A checking account solely for depositing bingo and lucky 7 revenue; and***
- (2) A checking account solely for depositing carryover coverall revenue.***

(b) The charitable organization shall not:

(1) Transfer or withdraw, by withdrawal slip, any bingo or lucky 7 funds from the account specified in (a)(1) above;

(2) Except as provided in (i) below, transfer or deposit any funds, other than bingo or lucky 7 revenues, into the account specified in (a)(1) above.

(c) The charitable organization shall only withdraw funds from the account specified in (a) above by preprinted, consecutively numbered check.

(d) The charitable organization shall only use the funds in the account specified in (a)(1) above for:

(1) Expenditures related to bingo or lucky 7; or

(2) Disbursement of bingo or lucky 7 proceeds for a charitable purpose.

~~(ec) Charitable organizations licensed to conduct bingo games shall maintain a separate checking account into which all bingo and lucky 7 funds shall be deposited. Pursuant to RSA 287-E:9, IV, the charitable organization~~ Deposit slips shall *separately* identify monies deposited from bingo and lucky 7 revenue *on each deposit slip*. ~~The checking account records shall be kept on the premises where the game is held and shall be open and accessible for inspection by the sweepstakes commission, the department of safety, or both.~~

~~(f) Monthly financial reports shall be signed under oath by the bingo chairperson and the treasurer. The same person shall not serve in both capacities.~~

(h) Pursuant to RSA 287-E:9, IV, the charitable organization shall pay all expenses and prizes of \$500 or more by preprinted, consecutively numbered check from the account specified in (a)(1) above.

(i) The charitable organization shall transfer the 7% reimbursement fee specified in Pari 1012.01(a) from the account specified in (a)(2) above to the account specified in (a)(1) above.

Adopt Pari 1014 to read as follows:

PART Pari 1014 MONTHLY FINANCIAL REPORT AND WORKSHEETS

Pari 1014.01 Monthly Financial Report and Worksheets.

(a) The charitable organization shall submit to the commission within 15 days of the last game date of the month a monthly financial report containing the following:

(1) Form MFR-1, "Package Sales Worksheet";

(2) Form MFR-2, "Single Sales Worksheet";

- (3) ***Form MFR-3, "Regular Bingo Worksheet";***
- (4) ***Form MFR-4, "Winner-Take-All Worksheet";***
- (5) ***Form MFR-5, "Carryover Coverall Worksheet";***
- (6) ***Form MFR-7, "Monthly Financial Report Summary"; and***
- (7) ***Form MFR-8, "Monthly Report Checklist".***

Pari 1014.02 Form MFR-1 Package Sales Worksheet. The charitable organization shall submit to the commission on Form MFR-1, "Package Sales Worksheet", the following for each game date:

- (a) ***The game date;***
- (b) ***For each package sold, the following:***
 - (1) ***The number of packages sold;***
 - (2) ***The price for the entire package;***
 - (3) ***The portion of the entire package price attributable to regular games; and***
 - (4) ***The portion of the entire package price attributable to winner-take-all games;***
- (c) ***The total amount collected for regular package sales; and***
- (d) ***The total amount collected for winner-take-all package sales for each winner-take-all game up to four per game night.***

Pari 1014.03 Form MFR-2 Single Sales Worksheet. The charitable organization shall submit to the commission on Form MFR-2, "Single Sales Worksheet", the following for each game date:

- (a) ***The game date;***
- (b) ***The name of the game;***
- (c) ***The number of games issued;***
- (d) ***The number of games returned;***
- (e) ***The difference between the number of games issued and the number of games returned;***

- (f) *The number of games destroyed;*
- (g) *The number of games exchanged;*
- (h) *The total number of games sold;*
- (i) *The selling price per game;*
- (j) *The total amount calculated by multiplying (h) above by (i) above;*
- (k) *The amount collected by the charitable organization; and*
- (l) *The difference between the total amount calculated and the amount collected.*

Pari 1014.04 Form MFR-3 Regular Bingo Worksheet. The charitable organization shall submit to the commission on Form MFR-3, "Regular Bingo Worksheet", the following for each game date:

- (a) *The game date;*
- (b) *The total amount collected from regular bingo game sales;*
- (c) *The amount collected from other bingo related sales and the type of sales;*
- (d) *The total amount collected from other bingo related sales calculated by adding all amounts listed pursuant to (b) above;*
- (e) *The total amount collected from regular bingo game sales and other bingo related sales;*
- (f) *For the total specified in (d) above, the amount collected in the form of cash, check and credit card;*
- (g) *The amount spent for rent, service fees, license fees, bingo supplies, advertising, concession and door prizes;*
- (h) *The amount spent for other expenses and the type of expense; and*
- (i) *The total amount spent on all expenses.*

Pari 1014.05 Form MFR-4 Winner-Take-All Worksheet. The charitable organization shall submit to the commission on Form MFR-4, "Winner-Take-All Worksheet", the following for each game date:

- (a) *The game date;*

- (b) For each winner-take-all game up to 4 per game date, the following:***
- (1) The amount collected for the game;***
 - (2) The amount of the 7% tax pursuant to RSA 287-E:8;***
 - (3) The amount of the 7% reimbursement fee pursuant to RSA 287-E:7, XIII(e); and***
 - (4) The total amount calculated by subtracting (b)(2) and (b)(3) above from (b)(1) above;***
- (c) The amount paid in prizes for each winner-take-all game up to 4 per game date;***
- (d) The total amount paid in prizes for all winner-take-all games;***
- (e) The amount paid for any bonus prize(s);***
- (f) The amount of the 7% tax pursuant to RSA 287-E:8 ; and***
- (g) The total amount paid for any bonus prize calculated by subtracting (f) above from (e) above.***
- (h) The amount spent for rent, service fees, license fees, bingo supplies, advertising, concession and door prizes;***
- (i) The amount spent for other expenses and the type of expense; and***
- (j) The total amount spent on all expenses.***

Pari 1014.06 Form MFR-5 Carryover Coverall Worksheet. The charitable organization shall submit to the commission on Form MFR-5, "Carryover Coverall Worksheet", the following for each game date:

- (a) The game date and day of the week;***
- (b) The beginning balance;***
- (c) The number of cards sold and the selling price for each card;***
- (d) The number of packages sold and the selling price for each package;***
- (e) The total amount collected from sales of cards and packages;***
- (f) The amount of the 7% tax pursuant to RSA 287-E:8;***

- (g) *The amount of the 7% reimbursement fee pursuant to RSA 287-E:7, XIII(e);*
- (h) *The total amount collected after subtracting the 7% tax and 7% fee;*
- (i) *The number of winners;*
- (j) *The amount of the jackpot or consolation prize paid;*
- (k) *The total prize amount paid; and*
- (l) *The ending balance.*

Pari 1014.07 Form MFR-7 Monthly Financial Report Summary. The charitable organization shall submit to the commission on Form MFR-7, "Monthly Financial Report Summary", the following:

(a) For regular bingo, the monthly:

- (1) Amount collected from regular bingo;***
- (2) Amount collected from other sales;***
- (3) Total amount collected for regular bingo and other sales;***
- (4) Total amount paid in service fees;***
- (5) Total amount of expenses; and***
- (6) Total profit or loss calculated by subtracting the amount in (a)(5) above from the amount in (a)(3) above;***

(b) For service fees:

- (1) The name of the person paid;***
- (2) The amount paid;***
- (3) The date paid;***
- (4) The check number, if applicable; and***
- (5) The total amount paid per month;***

(c) For winner-take-all games, the monthly:

- (1) Amount collected;*
 - (2) Amount of the 7% tax paid pursuant to RSA 287-E:8;*
 - (3) Amount of the 7% reimbursement fee pursuant to 287-E:13, XIII(e);*
 - (4) Total amount of prizes paid;*
 - (5) Amount of any bonus prize(s);*
 - (6) Amount of tax paid on any bonus prize(s); and*
 - (7) Total bonus prize(s) paid;*
- (d) For carryover coverall games, the monthly:*
- (1) Amount collected;*
 - (2) Amount of the 7% tax paid pursuant to RSA 287-E:8;*
 - (3) Amount of the 7% reimbursement fee pursuant to 287-E:13, XIII(e);*
 - (4) Total amount collected calculated by subtracting the amounts in (d)(2) and (d)(3) above from the amount in (d)(1) above; and*
 - (5) Total amount of prizes paid;*
- (e) The total monthly deposit amount;*
- (f) For each person or entity paid by the charitable organization for services related to bingo:*
- (1) The name of the person paid;*
 - (2) The amount paid;*
 - (3) The date paid;*
 - (4) The check number, if applicable; and*
 - (5) The total amount paid per month; and*
- (g) A numerical calculation of the total 7% reimbursement fee retained by the charitable organization from winner-take-all games and carryover coverall games.*

(a) The charitable organization shall submit to the commission on Form MFR-8, “Monthly Report Checklist”, the following:

- (1) A check mark in the appropriate box indicating that each report or worksheet form has been fully completed or is not applicable;***
- (2) An explanation for any report or worksheet that the charitable organization has indicated is not applicable; and***
- (3) If the charitable organization has had any changes to its membership list, the name and address of the member and the type of change.***

(b) The charitable organization shall submit with the “Monthly Report Checklist” the appropriate 7% tax and license fee(s).

(c) The charitable organization’s treasurer and chairperson shall:

- (1) Sign and date the “Monthly Report Checklist”; and***
- (2) Certify to the following statement:***

“I hereby certify that the above statements and all documents contained within this Monthly Financial Report and Worksheets are true, accurate and correct and that there are no willful misrepresentations in or falsifications of the above statements or answers to questions.”

Readopt with amendment Sw 2001.07, effective 10-10-04 (Document #8000), as Pari 1015.01 to read as follows:

PART Pari 1015 AUXILIARIES

Sw 2001.07Pari 1015.01 Auxiliaries. (a)-Auxiliaries may assist the primary charity in the operation of a bingo game if all of the following are true:

- (1)(a) The auxiliary has been in existence for 2 years;***
- (2)(b) The auxiliary was not formed for the primary purpose of operating bingo games;***
and
- (3)(c) The auxiliary does not hold a bingo license in its own name.***

Readopt with amendment Sw 2001.09 and Sw 2001.10, effective 10-10-04 (Document #8000), as Pari 1016.01 and Pari 1016.02 to read as follows:

PART Pari 1016 PRIVATE CAMPGROUND, HOTEL AND AGRICULTURAL FAIR LICENSES

~~Sw 2001.09~~***Pari 1016.01 Private Campground and Hotel Licenses.***

(a) Prior to holding a bingo game, a private campground or hotel shall apply to the commission for a license to conduct bingo games on an application for special bingo license form as described in Pari 1016.03.

(b) A private campground or hotel holding bingo games shall comply with all requirements specified in RSA 287-E:10.

~~(a)~~***(c) All private campground and hotel licenses shall be effective on May 1 and expire on the following April 30 annually.***

~~(b) The application fee for such licenses shall be \$25 and such license shall be effective from the date of application through the next April 30.~~

~~(e)~~***(e) If a private campground or hotel fails to submit the required monthly bingo financial reports as specified in Pari 1014 for any period within 15 days of the private campground or hotel license expiration, the commission shall result in deny of any future license until all of the required financial reports have been submitted.***

~~(d) The licensee shall submit a report as required under RSA 287 E:10, VIII to the sweepstakes commission within 15 days of the expiration of the bingo license. The report shall include the names and addresses of persons from whom bingo equipment was rented or leased.~~

(d) All other provisions of this chapter shall also apply to bingo games conducted at private campgrounds or hotels unless specifically excluded.

~~Sw 2001.10~~***Pari 1016.02 Agricultural Fair Licenses.***

~~(a) All agricultural fair licenses shall be effective only on those days during which the agricultural fair holds its annual bona fide agricultural exhibition pursuant to RSA 287 E:10, I.~~

~~(b) The bingo licensee application fee shall be \$25 per day, and the application shall be submitted at least 15 days prior to the first game date.~~

~~(c) The licensee shall submit the bingo financial report(s) as required by RSA 287 E:10, VIII to the commission within 15 days of the expiration of its license.~~

(a) Prior to holding a bingo game, an agricultural fair shall apply to the commission for a license to conduct bingo games on an application for special bingo license form as described in Pari 1016.03.

(b) An agricultural fair holding a bingo game(s) shall comply with all requirements specified in RSA 287-E:10.

~~(d)(c)~~ ***If an agricultural fair f***~~Failure~~s to submit the required ***monthly*** financial report(s) ***as specified in Pari 1014*** within 15 days of the expiration of the agricultural fair bingo license, ***the commission*** shall ~~result in~~ deny ~~of a~~ ***any*** future license until all the required financial reports have been submitted.

~~(e)(d)~~ All other provisions of ~~Sw 2001~~ ***this chapter*** shall also apply to bingo games conducted at agricultural fairs unless specifically excluded.

Repeal Sw 2001.13, effective 10-10-06 (Document #8000),as follows:

~~Sw 2001.13 Senior Citizen Bingo License.~~

~~(a) All special senior citizen bingo licenses shall be valid for 6 months from the date of issue.~~

~~(b) The bingo license application fee shall be \$1 per day on which games are played.~~

~~(c) The senior citizen's organization shall submit the financial report(s) required by RSA 287 E:11, X to the commission within 15 days of the expiration of its license. The report(s) shall include the names and addresses of persons from whom bingo equipment was rented or leased.~~

~~(d) Failure to submit the required financial report(s) shall result in the denial of a future license until all required financial reports have been submitted.~~

~~(e) The remaining provisions of Sw 2001 shall not apply to senior citizen bingo games.~~

Adopt Pari 1016.03 through Pari 1016.05 to read as follows:

Pari 1016.03 Application Procedures for Private Campgrounds, Hotels and Agricultural Fairs.

(a) If the commission, for the purpose of determining the applicant's qualifications for licensure, requires any information or documents additional to the materials submitted by the applicant under Pari 1016.05, the commission shall:

(1) Notify the applicant in writing within 5 days of the date the application is on file with the commission; and

(2) Specify the information or documents which the applicant is required to submit.

(b) If required pursuant to (a) above, the applicant shall submit any additional information or documents requested by the commission within 5 days of receipt of the request.

(c) An application shall be considered to be on file with the commission on the first date that the commission has received:

(1) A fully completed application form and all required supporting documentation pursuant to Pari 1016.05; and

(2) The application fee pursuant to RSA 287-E:10, VI or RSA 287-E:12, I, as applicable.

(d) The commission shall approve or deny the application in writing within 15 days of the date that the application is on file with the commission or the date that additional information is received by the commission from the applicant.

(e) The commission shall approve the application and issue a license if the applicant has:

(1) Complied with the application process set forth in this section and Pari 1016.04;

(2) Complied with the requirements in Pari 1016.01 or Pari 1016.02, as applicable;

(3) Complied with the requirements in Pari 1016.05; and

(4) Met the qualifications for licensure as specified in RSA 287-E:10 or RSA 287-E:12, as applicable.

(f) The commission shall deny the application if the applicant has:

(1) Not complied with the application process set forth in this section and Pari 1016.04;

(2) Not complied with the requirements in Pari 1016.01 or Pari 1016.02, as applicable;

(3) Not complied with the requirements in Pari 1016.05; or

(4) Not met the qualifications for licensure as specified in RSA 287-E:10 or RSA 287-E:12, as applicable.

(g) If the commission denies an application:

(1) The commission's written notification pursuant to (d) above shall specify the reason(s) for denial; and

(2) As applicable, the commission shall:

a. Refund to the applicant the application fee pursuant to RSA 287-E:10; and

b. Not refund to the applicant the application fee pursuant to RSA 287-E:12, I.

(h) The applicant may request a hearing to appeal the denial as specified in RSA 287-E:15.

(i) If an applicant requests a hearing pursuant to (h) above and the denial is overturned, the applicant shall resubmit the application fee if refunded pursuant to (g)(2)a. above to the commission before the commission will issue a license.

Pari 1016.04 Expiration of a Bingo License for a Private Campground, Hotel or Agricultural Fair.

(a) A bingo license for a private campground, hotel or agricultural fair issued pursuant to this part shall expire:

(1) For an agricultural fair, on the last game date authorized in the license;

(2) For a private campground or hotel, on April 30; or

(2) Upon revocation of the license by the commission as specified in RSA 287-E:14 and Pari 1019.02.

(b) A private campground, hotel or agricultural fair shall not hold any bingo games if their license has:

(1) Expired as specified in (a) above;

(2) Has been suspended pursuant to Pari 1019.01; or

(3) Has been denied pursuant to Pari 1016.03(f).

Pari 1016.05 Application for Special Bingo License Form.

(a) As specified in Pari 1016.01 and Pari 1016.02, each private campground, hotel or agricultural fair shall apply for a license to conduct bingo games by submitting to the commission an "Application for Special Bingo License" including the following:

(1) The campground, hotel or fair's:

a. Name;

- b. Street address, city or town, state and zip code;*
- c. Mailing address, city or town, state and zip code;*
- d. Business telephone number;*
- e. Business fax number; and*
- f. Business e-mail address;*

(2) The following for the person who is submitting the application on behalf of the campground, hotel or fair:

- a. Name;*
- b. Date of birth;*
- c. Home address, city or town, state and zip code; and*
- d. Home and business telephone numbers;*

(3) Whether the applicant is:

- a. A private campground;*
- b. A hotel; or*
- c. An agricultural fair;*

(4) Whether or not the city or town in which the campground, hotel or fair seeks to hold its bingo game or games has adopted the local option provisions of RSA 287-E:27 and, if so, whether or not documentation of the city or town's adoption of this provision has been supplied with the application;

(5) Whether or not, pursuant to RSA 287-E:1, V, the campground, hotel or fair has been organized under the laws of NH, and, if so, whether or not documentation of these facts have been supplied with the application;

(6) The time of day, location and date on which the campground, hotel or fair proposes to conduct bingo games; and

(7) For bingo at an agricultural fair, a numerical calculation of the amount of the fee due by multiplying the number of days of bingo proposed by the per game date fee specified in RSA 287-E:10, VI.

(b) The person who is submitting the application on behalf of the campground, hotel or fair shall:

- (1) Provide their name, in print, and title or position held within the campground, hotel or fair;***
- (2) Sign and date the form; and***
- (3) Certify to the following preprinted statement:***

“I certify, under the penalties of perjury pursuant to RSA 641:3, that the information provided on this application and in any supporting materials is true, accurate and complete.”

(c) The campground, hotel or fair shall submit documentation, in the format described in (d) below, that the person submitting the application on behalf of the campground, hotel or fair is an authorized to submit applications and supporting documents on behalf of the campground, hotel or fair.

(d) The documentation required under (c) above shall consist of a letter from the campground, hotel or fair, on the letterhead of the campground, hotel or fair:

- (1) Stating that that the person submitting the application is a authorized to submit the application and supporting documentation;***
- (2) Stating the person’s title within the campground, hotel or fair; and***
- (3) Stating that the person is presently authorized by campground, hotel or fair to file bingo application forms and supporting materials on behalf of the organization.***

(e) The applicant for a special bingo license shall include documentation that the city or town in which the campground, hotel or fair seeks to hold its bingo game or games has adopted, and currently has in effect, the local option provision of RSA 287-E:27, in the form of a copy of the currently-effective ordinance or vote of the municipality adopting these provisions.

Adopt Pari 1017.01 through Pari 1017.03 to read as follows:

PART Pari 1017 COMMERCIAL HALLS

Pari 1017.01 Commercial Hall License Required.

(a) Prior to any charitable organization conducting a bingo game at a commercial hall, the commercial hall shall apply to the commission for a commercial hall license as described in Pari 1017.04.

(b) Applicants for a commercial hall license shall submit the application to the commission at least 45 days prior to any bingo games being conducted in the hall.

(c) A commercial hall license shall be non-transferable and non-assignable.

(d) The commercial hall shall allow an employee or authorized representative of the commission to enter and inspect any facility where bingo games are held for purposes of determining compliance with RSA 287-E and this chapter.

Pari 1017.02 Application Procedures for a Commercial Hall License.

(a) If the commission, for the purpose of determining the applicant's qualifications for licensure, requires any information or documents additional to the materials submitted by the applicant under Pari 1017.03, the commission shall:

(1) Notify the applicant in writing within 5 days of the date the application is on file with the commission; and

(2) Specify the information or documents which the applicant is required to submit.

(b) If required pursuant to (a) above, the applicant shall submit any additional information or documents requested by the commission within 5 days of receipt of the request.

(c) An application shall be considered to be on file with the commission on the first date that the commission has received:

(1) A fully completed application form and all required supporting documentation pursuant to Pari 1017.04; and

(2) The license fee pursuant to RSA 287-E:4, II-a.

(d) The commission shall approve or deny the application in writing within 30 days of the date that the application is on file with the commission or the date that additional information is received by the commission from the applicant.

(e) The commission shall approve the application and issue a license if the applicant has:

(1) Complied with the application process set forth in this section; and

(2) Complied with the requirements specified in Pari 1017.01 through Pari 1017.07.

(f) The commission shall deny the application if the applicant has:

(1) Not complied with the application process set forth in this section; or

(2) Not complied with the requirements specified in Pari 1017.01 through Pari 1017.07.

(g) If the commission denies an application:

(1) The commission's written notification pursuant to (d) above shall specify the reason(s) for denial; and

(2) Pursuant to RSA 287:4, II-a, the commission shall refund the application fee specified in (c)(2) above to the applicant.

(h) The applicant may request a hearing to appeal the denial as specified in RSA 287-E:15.

(i) If an applicant requests a hearing pursuant to (h) above and the denial is overturned, the applicant shall resubmit the application fee if refunded pursuant to (g)(2) above to the commission before the commission will issue a license.

Pari 1017.03 Expiration of a Commercial Hall License.

(a) A license for a commercial hall issued pursuant to this part shall expire:

(1) On June 30; or

(2) Upon revocation of the license by the commission as specified in RSA 287-E:14 and Pari 1019.02.

(b) A bingo game shall not be conducted by any charitable organization at a commercial hall if the hall's license has:

(1) Expired as specified in (a) above;

(2) Has been suspended pursuant to Pari 1019.01; or

(3) Has been denied pursuant to Pari 1017.02(f).

Readopt with amendment Sw 2003.02 and Sw 2003.03, effective 10-10-06 (Document #8000), as Pari 1017.04 and Pari 1017.05 to read as follows:

~~Sw 2003.02~~Pari 1017.04 Application for a Commercial Hall License.

~~(a) Each applicant for a commercial hall license shall certify that information appearing on the application is correct and true.~~

~~(b)~~(a) Each applicant for a commercial hall license shall ***submit*** ~~provide~~ the following ***to the commission*** on or ***attached to*** ~~with the license application~~ ***the "Application for Commercial Hall License"***:

(1) ~~The c~~Commercial hall's:

- a. ~~N~~ame; and
- b. *Street address, city or town, state and zip code;*
- c. *Mailing address, city or town, state and zip code;*
- d. *Business telephone number;*
- e. *Business fax number; and*
- f. *Business e-mail address;*

~~(2) Name, address and telephone number of commercial hall owner(s);~~

~~(3)~~(2) The name, address and day of the week for each charitable organization to which the commercial hall is rented or leased;

~~(4)~~(3) Executed copies of all rental or lease agreements, which meet the requirements of ***Pari 1017.07*** ~~Sw 2003.04~~, in effect with licensed charities~~able organizations~~;

(4) ***A list with the following information for each owner, partner, spouse, board member, officer, director, stockholder, consultant or other persons or entities related to bingo or lucky 7 with a direct or indirect financial interest in the applicant:***

- a. *Name of the person that the list pertains to;*
- b. *Home address, city or town, state and zip code;*
- c. *Home telephone number;*
- d. *Position held and specific duties; and*
- e. *Date and place of birth;*

~~(5) Annual license fee as required under RSA 287-E:4, II a.; and~~

~~(6) Signature of commercial hall owner(s).~~

(b) The commercial hall owner(s) shall:

(1) Provide their name, in print;

(2) Sign and date the form; and

(3) Certify to the following preprinted statement:

“I certify, under the penalties of perjury pursuant to RSA 641:3, that the information provided on this application and in any supporting materials is true, accurate and complete.”

~~(c) Applications containing errors or omissions shall result in the license not being issued. The applicant shall be notified either in writing or by telephone within 5 working days of the date of denial.~~

~~(d) Applicants for a commercial hall license shall submit the application to the sweepstakes commission at least 30 days prior to any bingo games being conducted in the hall.~~

~~(e) If applicants comply with the requirements of Sw 2003.02(b), a license to operate a commercial hall shall be issued.~~

~~Sw 2003.03~~***Pari 1017.05 Commercial Hall License Display.*** Licenses to operate a commercial hall shall be prominently displayed in the public area where the bingo games are conducted.

Readopt with amendment Sw 2001.11, effective 10-10-06 (Document #8000), as Pari 1017.06 to read as follows:

~~Sw 2001.11~~ ***Pari 1017.06 Effect of a Commercial Hall License Revocation or Suspension Operations.*** If a commercial hall license is revoked or suspended *pursuant to Pari 1019*, no charitable organization shall operate bingo games at that location *during the period of the revocation or suspension.*

Readopt with amendment Sw 2003.04, effective 10-10-06 (Document #8000), as Pari 1017.07 to read as follows:

~~Sw 2003.04~~***Pari 1017.07 Commercial Hall Rentals.***

(a) The amount of the hall rental to the charitable organization shall not exceed \$4 per player per charitable organization's bingo game date.

(b) The ***commercial hall*** ~~lessor~~ shall provide, as part of the hall rental fee, the following items and services to the ***charitable organization*** ~~lessee~~:

- (1) Hall space;
- (2) Tables and chairs sufficient for the conduct of the bingo game;
- (3) Bingo equipment necessary for the conduct of the bingo game including, but not limited to:
 - a. A ball rack;
 - b. A mixing machine; and
 - c. A lighted game board;
- (4) Heat, lights and restroom facilities sufficient for the seating capacity of the hall;
- (5) Snow removal; and
- (6) Trash removal and overall janitorial services sufficient to return the hall to a condition clean and proper for conducting business.

(c) No third party charges shall be assessed to any charitable organization for services set forth in ~~Sw 2003.04(b)(1)~~ ***through (b)(6) above***. Participation in and charges for activities such as advertising, free offer of coffee and donuts to customers, security protection for the charitable organization itself, not security for the hall or parking area, consulting or management services, shall be at the discretion of the charitable organization. Failure to participate in these activities shall not constitute grounds for expulsion from the hall.

(d) All amended lease agreements shall be filed with the ~~sweepstakes~~ commission prior to the contract being presented to the charitable organizations for their signature. The licensee shall certify ***that*** all rental contracts comply with stipulations contained in ~~Sw 2003.04(a)~~ ***above***. ~~Failure to submit agreements upon request shall result in the license application not being processed until such time as requested information is received.~~

(de) The commercial hall shall:

(1) Submit a All amended lease agreements ~~shall be filed with~~ ***to*** the sweepstakes commission prior to the ***agreement*** ~~contract~~ being presented to the charitable organizations for their signature; ***and***

(2) The licensee shall ~~e~~ Certify that all ***lease agreements*** ~~rental contracts~~ comply with ***the*** stipulations contained in ~~Sw 2003.04(a)~~ ***above***.

(f) *If the commercial hall ~~failures~~ to submit ~~lease~~ agreements upon request, ~~the commission shall not process result in the license application not being processed until such time as the requested information is received.~~*

Adopt Pari 1018.01 and Pari 1018.02 to read as follows:

***PART Pari 1018 DISTRIBUTORS AND MANUFACTURERS OF BINGO PAPER
SUPPLIES AND EQUIPMENT***

Pari 1018.01 Application Procedures for Distributor and Manufacturer Licenses.

(a) If the commission, for the purpose of determining the applicant's qualifications for licensure, requires any information or documents additional to the materials submitted by the applicant under Pari 1018.03 or Pari 1018.04, the commission shall:

(1) Notify the applicant in writing within 5 days of the date the application is on file with the commission; and

(2) Specify the information or documents which the applicant is required to submit.

(b) If required pursuant to (a) above, the applicant shall submit any additional information or documents requested by the commission within 5 working days of receipt of the request.

(c) An application shall be considered to be on file with the commission on the first date that the commission has received:

(1) A fully completed application form and all required supporting documentation pursuant to Pari 1018.03 or Pari 1018.04, as applicable; and

(2) The license fee pursuant to RSA 287-E:8-a, I or RSA 287-E:8-a, V(b), as applicable.

(d) The commission shall approve or deny the application in writing within 45 days of the date that the application is on file with the commission or the date that additional information is received by the commission from the applicant.

(e) The commission shall approve the application if the applicant has:

(1) Complied with the application process set forth in this section;

(2) Complied with the requirements specified in Pari 1018.03 or Pari 1018.04, as applicable; and

(3) Met the qualifications for licensure as specified in RSA 287-E:8-a.

(f) The commission shall deny the application if the applicant has:

- (1) Not complied with the application process set forth in this section;*
- (2) Not complied with the requirements specified in Pari 1018.03 and Pari 1018.04, as applicable; or*
- (3) Not met the qualifications for licensure specified in RSA 287-E:8-a.*

(g) If the commission denies a license:

- (1) The commission's written notification pursuant to (d) above shall specify the reason(s) for denial; and*
- (2) The application fee specified in (c)(2) above shall be refunded to the applicant.*

(h) The applicant may request a hearing to appeal the denial as specified in RSA 287-E:15.

(i) If an applicant requests a hearing pursuant to (h) above and the denial is overturned, the applicant shall resubmit the application fee if refunded pursuant to (g)(2) above to the commission before the commission will issue a license.

Pari 1018.02 Expiration of a Bingo License for a Distributor or Manufacturer.

(a) A license for a distributor or manufacturer issued pursuant to this part shall expire:

- (1) On June 30; or*
- (2) Upon revocation of the license by the commission as specified in RSA 287-E:14 and Pari 1019.02.*

(b) A distributor or manufacturer shall not sell, lease or rent any bingo paper, electronic player equipment or lucky 7 vending machines if the distributor's or manufacturer's license has:

- (1) Expired as specified in (a) above;*
- (2) Has been suspended pursuant to Pari 1019.01; or*
- (3) Has been denied pursuant to Pari 1018.01(f).*

Readopt with amendment Sw 2001.14 and Sw 2001.15, effective 10-10-06 (Document #8000), as Pari 1018.03 and Pari 1018.04 to read as follows:

~~Sw 2001.14~~ ***Pari 1018.03*** Distributors ***License Requirements*** of Bingo Paper Supplies and Equipment.

(a) Distributors ***shall be licensed by the commission prior to selling, leasing or renting any*** ~~may offer~~ bingo paper supplies, ~~and~~ electronic player equipment ***or lucky 7 vending machines*** in New Hampshire. ~~if provided that the distributor shall:~~

(b) Distributors shall:

- (1) File a ***fully completed*** license application form with the commission;
- (2) Pursuant to RSA 287-E:8-a, III, ~~each licensee shall provide proof of~~ ***submit a*** bonding in the amount of \$50,000 ***payable to the commission*** conditioned upon the licensee's compliance with the rules of the commission; ~~and~~
- (3) ~~Submit~~ ***Remit*** the licensing fee ***specified in RSA 287-E:8-a, I*** of \$10,000; ~~and~~
- (4) ***Meet the requirements for licensure under RSA 287-E:8-a and this part.***

~~(b)~~ ***The distributor shall submit on or attached to the "Application for Distributor License"*** ~~License applications shall contain the following information:~~

(1) The distributor's:

- a. Name;***
- b. Street address, city or town, state and zip code;***
- c. Mailing address, city or town, state and zip code;***
- d. Business type such as partnership, limited liability partnership, corporation or limited liability corporation;***
- e. Business telephone number;***
- f. Business e-mail address; and***
- g. Principal place of business in New Hampshire including street address, city or town, zip code and telephone number;***

~~(1)~~ ***(2) For the person submitting the application, the person's:***

~~a. The Name;~~

b. Home address, city or town, state and zip code; and

~~c. Home telephone number; of the natural person applying to become a distributor;~~

~~(2) The type of business entity;~~

~~(3) The name under which the distributor is doing business, if other than applicant's own name;~~

(3) Whether the distributor is registered with the New Hampshire secretary of state, and if so, attach a copy of the distributor's registration;

~~(4) The address of principal place of business in New Hampshire;~~

~~(5) The phone number of principal place of business in New Hampshire; and~~

~~(6) A copy of the applicant's registration with the New Hampshire secretary of state;~~

~~(7)~~***(4) A description of the nature of the business conducted at the New Hampshire business location;***

~~(8) Each owner, partner, or each officer and director shall provide the following information:~~

~~a. Full Name;~~

~~b. Address;~~

~~c. Birth date; and~~

~~d. Place of birth.~~

(9)(5) A list with the following information regarding previous employment related to bingo or lucky 7 for the past 5 years for each owner, partner, or each officer, and director shall provide the following information for the past 5 years or other such person depending on the distributor's business type:

~~a. Place of occupation (s);~~

~~b. Address of occupation(s); and~~

~~c. Position title(s).~~

- a. Name of the person that the list pertains to;*
- b. Name and address of the current or former employer(s);*
- c. Title or position held and specific duties; and*
- d. Dates of employment;*

~~(10) Whether any owner, partner, officer or director is presently associated in any capacity with any other business or businesses;~~

(6) A list with the following information regarding any current associations related to bingo or lucky 7 with any other business(es) for each partner, officer, director or other such person depending on the distributor's business type:

- a. Name of the person that the list pertains to;*
- b. Name, address and phone number of the other business;*
- c. Nature of the other business;*
- d. Title or position held and specific duties; and*
- e. Length of time associated with the other business;*

(7) A list with the following information for each owner, partner, spouse, board member, officer, director, stockholder, consultant or other persons or entities related to bingo or lucky 7 with a direct or indirect financial interest in the applicant:

- a. Name of the person that the list pertains to;*
- b. Home address, city or town, state and zip code;*
- c. Home telephone number;*
- d. Position held and specific duties; and*
- e. Date and place of birth;*

~~(9) Each owner, partner or each officer and director shall provide the following information for the past 5 years;;~~

- ~~a. Place of occupation;~~

~~b. Address of occupation; and~~

~~c. Position title.~~

~~(10) Whether any owner, partner, officer or director is presently associated in any capacity with any other business or businesses;~~

~~(11)~~***(8) Pursuant to RSA 287-E: 8-a, II, Whether there are list any convictions against the company or any owner, partner, officer, or director or other such person depending on the distributor's business type of the company for a felony, which has not been annulled by any court, within 10 years from the date of application;***

(9) Whether any owner, partner, officer, director or other such person depending on the distributor's business type has any pending felony charges against them and if so, list the person's name, type of felony and jurisdiction;

~~(10)~~***(10) The business name and address of manufacturers who supply bingo paper supplies, electronic bingo player systems; or lucky 7 vending machines to the distributor and the type of supplies purchased from the each manufacturer; and***

~~(13)~~***(11) The business names and addresses of New Hampshire charitable organizations who purchased, rented or leased bingo paper, electronic bingo player systems; or lucky 7 vending machines both, since July 1 of the previous year, if applicable.***

(d) The person submitting the application on behalf of the distributor shall:

(1) Provide their name, in print, and their title or position held;

(2) Sign and date the form; and

(3) Certify to the following preprinted statement:

"I certify, under the penalties of perjury pursuant to RSA 641:3, that the information provided on this application and in any supporting materials is true, accurate and complete."

~~(ee)~~ Electronic bingo systems leased, sold or rented to charitable organizations shall be identified by the manufacturer's name and model identification.

~~(d) The distributor applicant shall certify that there is no willful misrepresentation or falsifications in any statements and answers given on the application form.~~

~~(e) Incomplete applications shall result in the license not being issued until the application is complete. The applicant shall be notified either in writing or by telephone within 5 working days what further information is needed to process the license application.~~

~~(f) Additional documentation shall be furnished to the sweepstakes commission by the applicant within 5 business days from the date it is requested when it is necessary to clarify information relative to the application. Failure to supply such information shall result in license not being issued.~~

~~(g) A bingo distributor's license shall be effective for a period of no longer than one year and shall expire at midnight on the 30th day of June.~~

~~(hf) Pursuant to RSA 287-E:8-a, a~~ A bingo distributor with a current New Hampshire lucky 7 distributor's license shall be authorized to distribute bingo paper supplies, ~~and~~ electronic bingo player systems and lucky 7 vending machines, ~~and shall not be required to~~ ***without filing*** for ~~a~~ ***licensing*** under this section.

~~(ig)~~ All licensed distributors of bingo paper, ~~and~~ ***electronic bingo player*** equipment ~~or lucky 7 vending machines~~ doing business with charitable organizations licensed by the sweepstakes commission to conduct charitable gaming shall be registered with the secretary of state as required under RSA 293-A, RSA 304-C, RSA 305-A or RSA 349.

~~Sw 2001.15~~ ***Pari 1018.04*** Manufacturers ***License Requirements*** of Bingo Paper and Equipment.

~~(a) Manufacturers of bingo paper, electronic player equipment, or both, may~~ ***shall*** become licensed ***by the commission prior*** to selling ***any*** bingo paper ***supplies***, electronic player equipment, or ***lucky 7 vending machines*** ~~both, in New Hampshire. provided that the manufacturer:~~

(b) Manufacturers shall:

(1) Files ~~an~~ ***fully completed*** application form;

(2) Pursuant to RSA 287-E:8-a, III, ~~provides proof of~~ ***submit a*** bonding in the amount of \$50,000 ***payable to the commission and*** conditioned upon the licensee's compliance with the rules of the commission;

(3) ***Submit*** ~~Remits~~ the licensing fee of \$5,000 ***specified in RSA 287-E:8-a, V(b);*** and

(4) ***Meet the requirements for licensure under RSA 287-E:8-a and this part.***

(b) The manufacturer shall submit on or attached to the "Application for Manufacturer License" ~~Each license application shall contain the following information:~~

~~(1) The name, address, telephone number of company;~~

~~(2) Each owner, partner or each officer and director shall provide the following information:~~

~~a. Full Name;~~

~~b. Address;~~

~~c. Birth date;~~

~~d. Place of birth; and~~

~~(3) The type of business entity;~~

(1) The manufacturer's:

a. Name;

b. Street address, city or town, state and zip code;

c. Business type such as partnership, limited liability partnership, corporation or limited liability corporation;

d. Business telephone number;

e. Business e-mail address;

f. Business fax number; and

g. Principal place of business in New Hampshire including street address, city or town, zip code and telephone number;

(2) For the person submitting the application on behalf of the manufacturer, the person's:

a. Name;

b. Home address, city or town, state and zip code; and

c. Home telephone number;

(3) Whether the manufacturer is registered with the New Hampshire secretary of state, and if so, attach a copy of the manufacturer's registration;

(4) A description of the nature of ***the*** business conducted at the New Hampshire business location;

(5) Whether the type of products manufactured are bingo paper, electronic bingo player systems, lucky 7 tickets; or lucky 7 vending machines;

~~(4)~~***(6) A list with the following information regarding previous employment related to bingo or lucky 7 for the past 5 years for each owner, partner, or each officer, and director shall provide the following information for the past 5 years or other such person depending on the manufacturer's business type:***

~~a. Place of occupation (s);~~

~~b. Address of occupation(s); and~~

~~c. Position title(s).~~

a. Name of the person that the list pertains to;

b. Name and address of the current or former employer(s);

c. Title or position held and specific duties; and

d. Dates of employment;

~~(5) Whether any partner, officer or director is presently associated in any capacity with any other business or businesses;~~

(7) A list with the following information regarding any current associations related to bingo or lucky 7 with any other business(es) for each partner, officer, director or other such person depending on the manufacturer's business type:

a. Name of the person that the list pertains to;

b. Name, address and telephone number of the other business;

c. Nature of the other business;

d. Title or position held and specific duties; and

e. Length of time associated with the other business.

(8) A list with the following information for each owner, partner, spouse, board member, officer, director, stockholder, consultant or other persons or entities related to bingo or lucky 7 with a direct or indirect financial interest in the applicant:

- a. Name of the person that the list pertains to;*
- b. Home address, city or town, state and zip code;*
- c. Home telephone number;*
- d. Position held and specific duties; and*
- e. Date and place of birth;*

~~(6)~~***(9) Pursuant to RSA 287-E: 8-a, II, Whether there list any convictions against the company or any owner, partner, officer, or director or other such person depending on the manufacturer's business type of the company for a felony, which has not been annulled by any court, within 10 years from the date of application;***

(10) Whether any owner, partner, officer, director or other such person depending on the manufacturer's business type has any pending felony charges against them and if so, list the person's name, type of felony and jurisdiction; and

~~(7)~~***(11) The business name and address of each New Hampshire distributor(s) that receives the manufacturer's product(s), and a description of those product(s).***

(c) The person submitting the application on behalf of the manufacturer shall:

- (1) Provide their name, in print, and their title or position held;***
- (2) Sign and date the form; and***
- (3) Certify to the following preprinted statement:***

"I certify, under the penalties of perjury pursuant to RSA 641:3, that the information provided on this application and in any supporting materials is true, accurate and complete."

~~(c) Incomplete applications shall result in the license not being issued until the application is complete. The applicant shall be notified either in writing or by telephone within 5 working days what further information is needed to process the license application.~~

~~(d) Additional documentation shall be furnished to the sweepstakes commission by the applicant within 5 business days from the date it is requested when it is necessary to clarify information relative to the application. Failure to supply such information shall result in license not being issued as provided for under RSA 287-E.~~

~~(c) A manufacturer with a current New Hampshire license to manufacture lucky 7 tickets shall not be required to pay an additional licensing fee as a manufacturer of bingo paper and equipment.~~

(d) A manufacturer with a current New Hampshire lucky 7 manufacturer's license shall be authorized to distribute bingo paper supplies, electronic bingo player equipment and lucky 7 vending machines without filing for a license under this section.

Adopt Pari 1019 to read as follows:

PART Pari 1019 SUSPENSION AND REVOCATION OF A BINGO LICENSE

Pari 1019.01 Suspension of a Bingo License.

(a) Pursuant to RSA 287-E:14, the commission shall suspend a license issued pursuant to this chapter if a charitable organization, commercial hall, private campground or hotel, agricultural fair, distributor or manufacturer fails to comply with any requirement specified in this chapter or in RSA 287-E.

(b) If the commission suspends a license issued pursuant to this chapter, the commission shall provide written notice to the charitable organization, commercial hall, private campground or hotel, agricultural fair, distributor or manufacturer specifying:

- (1) The reason for suspension;*
- (2) The action to be taken;*
- (3) The deadline for completing the necessary action; and*
- (4) That failure to complete the action as specified in (b)(2) above within the deadline specified in (b)(3) above will result in revocation of the license.*

(c) Pursuant to RSA 287-E:15, the licensee shall have 15 working days from the date of the notice pursuant to (b) above to request a hearing pursuant to Pari 200.

Pari 1019.02 Revocation of a Bingo License.

(a) Pursuant to RSA 287-E:14, the commission shall revoke a license issued pursuant to this chapter if a charitable organization, commercial hall, private campground or hotel, agricultural fair, distributor or manufacturer fails to:

- (1) Respond to a written notification of suspension pursuant to Pari 1019.01(b); or*
- (2) Complete the required action within the specified timeframe.*

(b) If the commission revokes a license issued pursuant to this chapter, the commission shall provide written notice to the charitable organization, commercial hall, private campground or hotel, agricultural fair, distributor or manufacturer specifying:

(1) The reason for revocation; and

(2) The date that the revocation will be final unless a hearing is requested pursuant to (c) below.

(c) Pursuant to RSA 287-E:15, the licensee shall have 15 working days from the date of the notice pursuant to (b) above to request a hearing pursuant to Pari 200.

(d) Pursuant to RSA 287-E:14, a licensee whose license is revoked by the commission shall not be eligible for licensure for one year from the date specified in (b)(2) above.